

PLANNING COMMISSION MINUTES

September 20, 2000

CALL TO ORDER:

Chairman Dan Maks called the meeting to order at 7:08 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

ROLL CALL:

Present were Chairman Dan Maks, Planning Commissioners Bob Barnard, Betty Bode, Sharon Dunham, Chuck Heckman, Eric Johansen and Vlad Voytilla.

Development Services Manager Irish Bunnell, Principal Planner Hal Bergsma, Senior Planner Barbara Fryer, AICP, Senior Planner John Osterberg, Planning Consultant Sally Rose and Recording Secretary Sandra Pearson represented staff.

The meeting was called to order by Chairman Maks, who presented the format for the meeting.

VISITORS:

Chairman Maks asked if there were any visitors in the audience wishing to address the Commission on any non-agenda issue or item. There were none.

STAFF COMMUNICATION:

On question, staff had no communications to submit at this time.

OLD BUSINESS:

CONTINUANCES:

Chairman Maks opened the Public Hearing and read the format for Public Hearings. There were no disqualifications of the Planning Commission members. No one in the audience challenged the right of any Commissioner to hear any of the agenda items, to participate in the hearing or requested that the hearing be postponed to a later date. He asked if there were any ex parte contact, conflict of interest or disqualifications in any of the hearings on the agenda. There was no response.

1 **CONTINUANCES:**

2

3 **A. HALL AND METZ PROPERTY**

4

5 **1. CPA 2000-0004 – COMPREHENSIVE PLAN MAP AMENDMENT**

6 An amendment to the Comprehensive Plan Map changing from Urban
7 Medium Density Residential to Urban High Density Residential.

8

9 **2. RZ 2000-0007 – ZONE CHANGE**

10 An amendment to the Zoning Map changing from R-2 zoning allowing a
11 maximum one unit per 2,000 square feet of land area to R-1 zoning, which
12 allows one unit per 1,000 square feet of land area. The site is located on
13 the east side of SW Hall Boulevard, between Metz Street and Sussex
14 Street, and is approximately 0.67 acres in size. Map 1S1-22BC; Tax Lots
15 500, 601 and 603.

16

17 Observing that she had not attended the Public Hearing on August 2, 2000,
18 and had not reviewed the tape, Commissioner Bode withdrew from
19 participating in the Public Hearing regarding the Hall and Metz Property.

20

21 Chairman Maks mentioned that although he had not been present at this
22 Public Hearing, he had reviewed the tape, the Staff Reports and the
23 minutes, and feels capable of reaching a fair and unbiased decision with
24 regard to this application because he has heard all applicable evidence.

25

26 Observing that this issue had been continued on August 2, 2000, Senior
27 Planner Osterberg explained that the Public Hearing had been opened, the
28 Staff Report had been submitted and testimony had been received at that
29 time. He indicated that three additional communications had been
30 received since the previous Public Hearing, as follows: 1) letter dated
31 September 12, 2000, from Anita Davis and David Anderson, representing
32 *Appleton Properties, Inc.*, expressing opposition to the proposal from the
33 *New Horizon Townhomes* Board of Directors; 2) letter dated September
34 10, 2000, from Catherine Arnold, representing *Leadership Beaverton*
35 *Class of 1998/1999 Project Team*, expressing her ideas regarding this
36 application; and 3) letter dated September 20, 2000, from Christopher
37 Redmond, representing the *Vose Neighborhood Association*,
38 recommending denial of this application. He stated that staff has no
39 further comments, adding that this is the opportunity to receive further
40 testimony from the public regarding this application.

41

42 Chairman Maks questioned whether a certain property owner had been
43 contacted, and Mr. Osterberg advised him that an additional notice had
44 been sent to Mr. George Stall and no response had been received, adding
45 that he understands that this individual may have spoken with some of the
46 members of the audience.

1 Chairman Maks requested a summarization of the water analysis, referring
2 to Section 3.4.2.2 of page 17 of the Staff Report for CPA 2000-0004. Mr.
3 Osterberg discussed a Memorandum, dated July 14, 2000, and provided a
4 brief summary of this information regarding the infrastructure for public
5 water in this particular area, specifically on the Hall/Metz site. He
6 mentioned that future development of the site would necessitate a water
7 line extension, noting that any cost will be the responsibility of the
8 developer of the property, rather than the existing taxpayer or the City of
9 Beaverton.

10
11 On question, Commissioner Heckman was advised that the developer
12 would be anyone requesting a Building Permit.

13
14 Chairman Maks emphasized that neither the Facilities Review nor the
15 Staff Report included any comments from the Beaverton School District,
16 and was assured by Mr. Osterberg that they had been contacted and had
17 made no comment. Chairman Maks expressed his opinion that both this
18 information and the Comprehensive Plan Policies that address schools
19 should be included within the Staff Report.

20
21 Commissioner Johansen referred to Exhibit A -- the Traffic Analysis, and
22 requested clarification of staff's position on whether the SW Metz/22nd
23 Street intersection actually depicts the level of service (F) referred to in the
24 Stein Report. He referred to page 2 and tables on pages 5 and 7 of the
25 Hall/Metz Property Exhibits.

26
27 Commissioner Heckman questioned the plan designation for the block east
28 of Sussex, south of 124th Avenue and north of 123rd Avenue, and Planning
29 Consultant Sally Rose informed him that this area is designated Urban
30 Medium Density.

31
32 Commissioner Heckman questioned the plan designation for the block
33 located east of Hall Boulevard, south of Sussex to Denny and west of
34 Franklin, and was advised by Ms. Rose that this area is also designated
35 Urban Medium Density.

36
37 Observing that 49 days had elapsed since this issue had been continued,
38 Commissioner Heckman referred to page 7 of the Staff Report for CPA
39 2000-0004, requesting that staff clarify the density calculation for Tax Lot
40 603.

41
42 Ms. Rose explained that when the Conditional Use Permit for the
43 Laurelridge Condominiums was approved, the density had been based
44 upon including the area of what is now Tax Lot 603. She clarified that
45 under the current zoning, no additional density is permitted, because the
46 density has already been used for the parcel directly to the east.

1 7:30 p.m. -- Recording Secretary Sandra Pearson left.

2
3 On question, Ms. Rose informed Commissioner Heckman that the City of
4 Beaverton presently owns both Tax Lots 601 and 603.

5
6 At the request of Commissioner Heckman, Ms. Rose provided a copy of
7 this application, which had been generated by the Office of the Mayor.

8
9 Observing that none would be available on Hall Boulevard, Commissioner
10 Heckman questioned the amount of on-street parking spaces that would be
11 available on Metz and Sussex if this property were developed as R-1, and
12 Ms. Rose advised him that this had not yet been determined.

13
14 Noting that this is not a legislative action, Commissioner Heckman
15 requested clarification of what would happen if the owner of Tax Lot 500,
16 Mr. George Stall, does not approve of this action.

17
18 Ms. Rose informed Commissioner Heckman that Mr. Stall could appeal
19 this action through a citizen legislative application.

20
21 Commissioner Heckman emphasized that this action is quasi-judicial,
22 rather than legislative, and referred to the criteria for a quasi-judicial
23 hearing listed on page 33 of the Staff Report for CPA 2000-0004.

24
25 Mr. Osterberg clarified that this is generally a quasi-judicial application,
26 with the exception that a legislative Measure 56-style notice has been
27 generated, for legislative map amendments and rezones, to Mr. Stall. He
28 explained that this provided proper legislative notification of the City's
29 proposal to rezone this particular property.

30
31 On question, Mr. Osterberg assured Chairman Maks that this application
32 has received an actual Measure 56 notice.

33
34 Chairman Maks observed that he should have personally received a copy
35 of this pink notification regarding this legislative action.

36
37 Commissioner Dunham pointing out that "pink-slipping" one individual
38 does not meet all of the requirements of a Measure 56 notification.

39
40 Mr. Osterberg agreed that this notification had not been distributed to the
41 entire City of Beaverton, expressing his opinion that this notification had
42 fulfilled the requirements of legislative notification to Mr. Stall, as
43 determined by the City Attorney.

44

1 Chairman Maks requested a copy of the notice that had been published in
2 *The Valley Times*, specifically whether this notice had indicated that this
3 action is legislative or quasi-judicial.
4

5 Principal Planner Hal Bergsma advised Chairman Maks that a Measure 56
6 notice does not have to be distributed throughout the entire City,
7 emphasizing that it is necessary only to notify those property owners
8 affected by changes of zoning or regulations that may cause the property
9 value to decrease.
10

11 Chairman Maks agreed with Mr. Bergsma, pointing out that while he had
12 been led to understand that this action is legislative, staff is now indicating
13 that it is quasi-judicial. He questioned whether this notice had involved
14 the radius required for a Measure 56-type notification, or whether it
15 involves only general notification requirements.
16

17 On question, Mr. Bergsma advised Chairman Maks that only Mr. Stall is
18 required to receive a Measure 56 notice in this particular situation, adding
19 that notification is not required to surrounding property owners whose
20 property, theoretically, would not be affected by this action.
21

22 Commissioner Heckman requested clarification that only the owner of Tax
23 Lot 500 has the potential to be affected by this action.
24

25 Mr. Bergsma advised Commissioner Heckman that this is correct, adding
26 that while it is possible that other property owners could be affected, this
27 is generally the legal position assumed on such an issue.
28

29 Development Services Manager Irish Bunnell explained that the City
30 Attorney's office had determined that only the owner of Tax Lot 500 was
31 due a Measure 56 notice.
32

33 Commissioner Heckman pointed out that the Commissioners had not
34 received this information previously.
35

36 Mr. Bunnell mentioned that this had been mentioned at the end of the
37 Public Hearing on August 2, 2000.
38

39 Commissioner Heckman requested clarification of the purpose or intent of
40 the 15-1/2-foot wide strip at the back of Tax Lot 601.
41

42 Ms. Rose advised Commissioner Heckman that she is aware of no clear
43 indication of this in any written documentation.
44

45 Commissioner Dunham referred to Commissioner Johansen's comments
46 regarding whether the SW Metz/22nd Street intersection actually depicts

1 the level of service (F) referred to in the Stein Report. She mentioned that
2 Mr. Howard Stein had referenced a table on page 5 of the Traffic Report,
3 basically describing the model in which some of the delays had been
4 overstated, in his opinion. She mentioned that this issue is also included
5 on page 17 of the Planning Commission Minutes of August 2, 2000.

6
7 Commissioner Johansen expressed his opinion that it is possible that
8 Traffic Studies had been approved in the past, based upon models that
9 may have been either overstated or understated. He emphasized that his
10 concern involves whether the staff has an opinion concerning the accuracy
11 of this model or whether the field observations conducted by the Traffic
12 Engineer are sufficient to override the traffic model suggested for the
13 intersection.

14
15 Mr. Osterberg mentioned while the level of service has been described, the
16 opinion of the Traffic Engineer indicates that traffic conditions will
17 degrade and substantial problems would be created by future development.
18 He expressed his opinion that the Traffic Engineer feels that some of the
19 specifics would be addressed by a particular development plan, depending
20 upon the number of units. He mentioned that overall, based upon the
21 maximum potential for development, the measures described in this
22 Traffic Analysis would be adequate to provide for traffic, adding that the
23 Traffic Engineer concurred with the conclusions of Mr. Stein.

24
25 Following a two-minute recess, Chairman Maks indicated that he has
26 some procedural issues and questions concerning this application,
27 suggesting that this Public Hearing be continued for two additional weeks
28 to allow for clarification from the City Attorney.

29
30 Commissioner Voytilla referred to Chairman Maks' comments regarding
31 notification to the school district and questioned whether the Beaverton
32 Police Department also receives this notification.

33
34 Mr. Bunnell suggested that the Commissioners indicate what information
35 they would like staff to prepare for the continued Public Hearing.

36
37 Commissioner Voytilla advised staff that he would like to know whether
38 this notification is submitted to the Beaverton Police Department.

39
40 Chairman Maks observed that generally Facilities Review provides the
41 information that no comments were submitted in response to notification.

42
43 Commissioner Voytilla requested clarification of whether any follow-up
44 telephone calls were generated to make certain that a particular agency
45 had no comment to ensure that they have received and not overlooked the

1 required notification. He noted that he would like to know why this has
2 not been done in this particular case.

3
4 Commissioner Dunham expressed concern with the method utilized in the
5 attempts to contact Mr. Stall. She pointed out that the minutes reflect that
6 staff has attempted to contact him by mail, adding that a member of the
7 audience had testified that a pile of unopened mail exists at Mr. Stall's
8 home, indicating that he may have received but not opened the City's
9 notice. She expressed her opinion that this is not an effective way to
10 contact this particular individual, suggesting that an alternate method, such
11 as a personal visit, be utilized.

12
13 Chairman Maks advised Commissioner Dunham that legal requirements
14 must be fulfilled with any such contact, observing that certified mail
15 generally satisfies this requirement.

16
17 Commissioner Dunham stated that she would like the official record to
18 reflect that she has requested that staff go beyond legal requirements in
19 this particular case.

20
21 Mr. Bunnell advised Commissioner Dunham that staff would elaborate on
22 this issue at the next Public Hearing.

23
24 Chairman Maks referred to a Market Study indicating that insufficient
25 land is available for multi-family, adding that this study further indicates
26 that the City of Beaverton will run out of multi-family land within five
27 years. He expressed his opinion that Mr. Stein's comments regarding the
28 accuracy of models is interesting, noting that the City's market studies are
29 always based upon models. He expressed concern that public need and
30 the current vacancy rate had not been mentioned in either the Market
31 Study or by staff.

32
33 Commissioner Johansen indicated that he would like clarification from the
34 Traffic Engineer regarding when it becomes necessary to depart from the
35 model and rely upon field observations.

36
37 Apologizing to the public who are present to testify regarding this
38 application, Chairman Maks emphasized that procedural issues need to be
39 addressed prior to reaching any decision,

40
41 Commissioner Heckman **MOVED** and Commissioner Voytilla
42 **SECONDED** a motion to continue the Public Hearing for CPA 2000-0004
43 – Hall/Metz Site Comprehensive Plan Amendment to a date certain of
44 October 4, 2000.

45
46 Motion **CARRIED**, unanimously.

Commissioner Heckman **MOVED** and Commissioner Voytilla **SECONDED** a motion to continue the Public Hearing for RZ 2000-0007 – Hall/Metz Site Rezone to a date certain of October 4, 2000.

Motion **CARRIED**, unanimously.

Following a two-minute recess, the Planning Commission reconvened.

B. CPA 99-00025 -- COMPREHENSIVE PLAN LAND USE ELEMENT

(Continued from August 30, 2000)

Notice of the initial hearing on this proposal was originally provided on December 17, 1999, and the Planning Commission conducted hearings on the proposal on January 19, 2000, March 15, 2000, April 12, 2000, August 2, 2000, and August 30, 2000. As originally described, the proposed amendment will replace the existing Land Use Element and is intended to complete Metro requirements related to land use requirements in local jurisdiction comprehensive plans. Both map and text changes will be included in the proposal. Metro Code Section 3.07.130 requires local governments identify Design Type Boundaries. The proposed amendment modifies the Land Use Element to more specifically identify the Metro Design Types, to specify boundaries and to collate common policies among the design types. Existing language will be modified to the extent that information can be made more clear, concise or consistent with other sections of the same element. In addition, the proposed amendment may:

- Remove references to the City's housing program and relocate them to the Housing/Economy Element;
- Remove references to the City's Urban Services Area and relocate them to the Public Services Element;
- Amend the Comprehensive Plan map to coincide with Land Use Element text changes; and
- Place text provisions related to specific sub-areas of the City, such as the Downtown and the Murray/Scholls Town Center, in separate documents as addenda to the Comprehensive Plan.

Chairman Maks questioned whether the Commissioners would like Senior Planner Fryer to review changes implemented since the last draft or simply allow her to make her presentation, followed by questions.

Commissioner Heckman observed that the Commissioners had been allowed the opportunity for comparison, as requested by Commissioner Johansen, and referred to the clean copy and the copy that included strikeouts. He mentioned that he has not had an opportunity to review information that has been submitted this evening.

Senior Planner Barbara Fryer advised Chairman Maks that the Memorandum that had been mailed out on September 13, 2000, provided many amendments to the

1 previous submittal, observing that this information had been hand-delivered to the
2 Commissioners and mailed to other individuals. She noted that this information
3 had been revised to some extent by the information that had been distributed this
4 evening with the Staff Report Supplemental Memorandum dated September 20,
5 2000.

6
7 Ms. Fryer discussed changes to Exhibit 1, which consists of a change to the Land
8 Use Map to move the labels obscuring the mapped area after the labels covered up
9 some of the designations.

10
11 Ms. Fryer described changes to Exhibit 2, which contains a series of draft edits to
12 the Land Use Map, adding that Map Edit No. 1 includes a series of properties that
13 are currently developed in single-family housing. She noted that they are
14 incorrectly designated as Corridor on this map, and should be designated as
15 Neighborhood Residential Standard density to correspond with current zoning.

16
17 Ms. Fryer mentioned that Map Edit No. 2 would be eliminated, as the draft Land
18 Use Map correctly depicts the property as Neighborhood Residential Standard
19 density.

20
21 Ms. Fryer stated that Map Edit No. 3 consists of a right-of-way corridor near
22 Greenway between 125th Avenue and Downing. She added that while this is
23 currently designated on the draft Land Use Map Figure 3-1 as Standard density,
24 the correct designation is Medium density to correspond with the current zoning
25 of R-2. On question, she clarified that these two parcels are actually a right-of-
26 way for a footpath/bike path and are currently zoned R-2, although the draft Land
27 Use Map incorrectly designates these parcels as Neighborhood Residential
28 Standard density. She commented that the map would be corrected to reflect that
29 these parcels are zoned Medium density to more accurately coincide with the
30 current R-2 zoning and the surrounding area.

31
32 Chairman Maks questioned why so much effort is going into this bike path, and
33 Ms. Fryer advised him that this area is currently zoned R-2, and changing it to
34 Urban Standard would create a non-conforming zone.

35
36 Ms. Fryer explained that Map Edit No. 4 consists of properties located in the
37 football area of Murray/Scholls, adding that although the map indicates a mixture
38 of Medium density and Corridor, the designation should be Standard density, due
39 to the current R-5 zoning.

40
41 Ms. Fryer mentioned that Map Edit No. 5 will be amended further, adding that
42 this includes the parcels along Camelot Court and the current land use designation
43 is Urban Medium. She stated that staff proposes that all of these parcels would
44 remain the same, with the exception of the southeasterly parcel on the corner of
45 Camelot Court and Canyon Road, which should be changed to Corridor. This
46 would retain the R-2 zoning and the Urban Medium density on the seven

1 northerly parcels and change only the one southerly corner parcel to Corridor, to
2 correspond with the Office Commercial zoning that currently exists on the
3 property.
4

5 Ms. Fryer discussed Map Edit No. 6, adding that this map more clearly depicts the
6 current zoning differential between the Campus Industrial (CI) zoning and the
7 General Commercial (GC) zoning that exists on the *Carr Chevrolet* property as
8 opposed to the designation currently indicated on this particular map. She
9 explained that staff would like the split zone to be consistent between this
10 particular land use map and the current zoning. She further described the CI
11 zoning district as employment-related land use designation, and the GC zoning
12 district as Corridor land use designation, with respect to employment further south
13 to correspond to the existing zoning line.
14

15 Commissioner Voytilla questioned whether the rationale for this zoning line is
16 distance or physical structure.
17

18 Ms. Fryer advised Commissioner Voytilla that this particular boundary
19 demarcates the difference between the retail portion and industrial nature of *Carr*
20 *Chevrolet*. She added that this currently coincides with a Comprehensive Plan
21 Amendment (CPA) that occurred several years ago. On question, she informed
22 Commissioner Heckman that this splits the building, rather than the ownership,
23 adding that this separates the retail sales from the repair and warehouse portions.
24

25 Ms. Fryer explained that Exhibit No. 3 consists of a change to Figure 3-2, which
26 was included in the previous packet, adding that within the Football Area, Area
27 No. 5 was previously included to indicate the far southwesterly corner. She noted
28 that because this area is currently within the Corridor designation, it does not
29 necessitate the special discompensation the commercial properties within
30 residential zones received. She requested that this particular figure replace Figure
31 3-2 in the packet dated September 13, 2000, and that Figure 3-5 be deleted.
32

33 Ms. Fryer discussed Exhibit No. 4, which consists of a series of maps that depict
34 the various zoning district amendments that may be necessary to implement the
35 map. She mentioned that the amendments on the colored page are broken up by
36 their general classifications, adding that different colors indicate different
37 designations. She noted that each of the following maps provide an idea of what
38 might be proposed in the future, emphasizing that this is not the subject of this
39 particular amendment, although these potential amendments may be necessary to
40 implement the Comprehensive Plan. She mentioned that staff anticipates the
41 possibility of creating a new Regional Center zoning district in the area typically
42 known as Nimbus and Creekside Office Parks. She noted that the map should
43 also include the area west to Highway 217, specifically the properties between the
44 Highway 217 right-of-way and *Cascade Plaza*, which would also be changed
45 from the current General Commercial to a new Regional Center zoning district,
46 which is yet to be developed. She emphasized that at this point, these areas would

1 be permitted to function as they are under their current zoning. She stated that the
2 properties included in the more fine cross-hatch are actually owned by the
3 *Tualatin Hills Park & Recreation District (THPRD)*, adding that staff proposes
4 that these be removed from the CI district and included in Residential, although
5 this may be zoned Institutional at a later time.

6

7 On question, Ms. Fryer informed Commissioner Heckman that she anticipates that
8 the amendments with regard to Washington Square will be submitted within the
9 next year.

10

11 Commissioner Heckman questioned whether this action is a joint venture
12 involving the City of Beaverton and the City of Tigard.

13

14 Ms. Fryer informed Commissioner Heckman that the two cities had participated
15 in a planning process to define the boundary for the Washington Square Regional
16 Center and the draft implementation, in terms of the various zones that would be
17 applied in that particular area. She commented that the City of Tigard had
18 recommended the inclusion of a residential component in Beaverton's portion of
19 the Regional Center, which may occur at the time of the development of this
20 particular Regional Center zoning district.

21

22 Chairman Maks cautioned the Commissioners not to get too involved with this
23 particular section, pointing out that many of these potential changes will affect a
24 significant number of individuals, which will necessitate a lengthy process.

25

26 Commissioner Dunham referred to the proposed amendment map, specifically the
27 green-colored RA designation, and questioned whether this includes the total
28 eight RA parcels within the City of Beaverton.

29

30 Ms. Fryer advised Commissioner Dunham that these particular parcels, located
31 around Weir Road and Murray Boulevard, are the only RA parcels within the City
32 of Beaverton at this time.

33

34 Chairman Maks referred to property located off of Sorrento and Davis, which he
35 described as Homer Speer's property, and Ms. Fryer informed him that it
36 corresponds to the zoning district map.

37

38 Ms. Fryer commented that the next graphic also includes CI amendments,
39 observing that staff anticipates amending the Zoning District map to redesignate
40 the THPRD skate park property to Institutional or R-7, to correspond to the
41 surrounding area and the remaining THPRD properties in that area. She
42 mentioned that the powerline corridor portion south of Estuary Drive and north of
43 Baseline Avenue may be amended to be designated R-1, to correspond to the
44 properties to the east.

45

1 Ms. Fryer mentioned that the next graphic is related to Light Industrial (LI)
2 properties, adding that four of these properties are included on this particular map
3 and that staff anticipates that these will be redesignated to CI, to correspond to the
4 employment designation on the draft Land Use map.

5
6 Ms. Fryer discussed the next graphic, which depicts the Merlo Station area,
7 adding that this would be redesignated from LI to a Station Community
8 designation yet to be determined. She mentioned staff anticipates that the
9 powerline corridor and a portion of the THPRD property would be redesignated
10 from LI to CI, to correspond with the employment center designation on the draft
11 Land Use map. She commented that the property south of Tualatin Valley (TV)
12 Highway and north of the railroad is currently used as a park and ride, adding that
13 three of these properties are owned by the City of Beaverton and two by Tri-Met.
14 She stated that staff anticipates redesignating these to Corridor.

15
16 Ms. Fryer described the next graphic, which depicts two Town Center zoned
17 areas, one of which is Town Center (TC) Multiple Use and the other is TC Sub-
18 Regional. She commented that staff anticipates redesignating these areas to a
19 zoning district designation allowed under the Corridor designation, yet to be
20 determined.

21
22 Ms. Fryer mentioned that the next graphic includes an area that had been excluded
23 from the South Tek Station Community Plan, adding that staff anticipates that this
24 area will be redesignated from General Commercial (GC) to Regional Center
25 (RC). She suggested the possibility of the development of a new district for this
26 particular area or incorporation into one of the current RC districts.

27
28 Ms. Fryer discussed the next graphic, which includes properties that are currently
29 zoned R-5, north of the City of Beaverton near 158th Avenue and Walker Road,
30 adding that staff anticipates modifying one particular property from R-5 to R-2 to
31 correspond with the surrounding properties, and another from R-5 to Corridor.
32 Observing that the latter parcel is separated from the R-5 to the north by the
33 Stream Corridor, Willow Creek, and continuing that node of corridor makes sense
34 from a planning perspective.

35
36 Ms. Fryer mentioned that the next graphic involves a proposed R-7 amendment,
37 specifically the two properties off of Tualaway north of TV Highway, adding that
38 they should be redesignated to one of the zoning districts permitted under
39 Corridor.

40
41 Ms. Fryer stated that the two properties indicated on the next graphic, which are
42 currently zoned R-7, are within the powerline easement, adding that staff
43 anticipates rezoning this zoning to correspond with the remainder of that
44 particular portion of the Bonneville Power Administration (BPA) right-of-way.
45 She added that the northerly portion would be designated Corridor and the
46 southerly portion R-4.

1 Ms. Fryer discussed the next graphic, observing that the property at the
2 intersection of Murray Boulevard and Hart and Davis, and properties adjacent to
3 22nd Street and Hall Boulevard, should be changed to a Main Street-type
4 designation. She mentioned that it might be more appropriate to only amend the
5 map to include the northerly two parcels and not the southerly two parcels.

6
7 Ms. Fryer mentioned that the final graphic indicates the existing RA parcels,
8 adding that staff anticipates that these parcels will be redesignated either R-5 or
9 R-7.

10
11 On question, Ms. Fryer assured Chairman Maks that these are potential future
12 changes, emphasizing that they are not proposed at this particular time.

13
14 Ms. Fryer referred to page 2 of 3 of the Staff Memo, observing that exact zone
15 change proposals are not a part of this particular amendment and that staff
16 requests that this exhibit not be included as part of the final action on this
17 Comprehensive Plan Amendment.

18
19 Ms. Fryer discussed Exhibit No. 5, which is a memorandum prepared by staff to
20 Brenda Bernards at Metro to correspond to the proposed Title 4 lands map
21 amendment. She mentioned that at the meeting of August 2, 2000, staff had
22 provided an analysis of the various Title 4 map series that may require
23 amendments to correspond to the proposed draft Land Use Map.

24
25 Ms. Fryer referred to the September 13, 2000, staff submittal, changes were made
26 from the previous Staff Report dated July 28, 2000, to the map, indicating and
27 reviewing these changes on the map for the benefit of the Commissioners.

28
29 Ms. Fryer mentioned a correspondence from Pat Russell, noting that he is present
30 and his concerns will be addressed at a later time.

31
32 On question, Chairman Maks assured Commissioner Heckman that the
33 Commissioners would have another opportunity to speak following public
34 testimony.

35
36 Chairman Maks expressed his appreciation to staff for their efforts on the
37 commercial areas within the residential zones.

38
39 **PUBLIC TESTIMONY:**

40
41 **PAT RUSSELL**, Beaverton, Oregon, apologized for his presence this evening,
42 observing that this may create some misunderstanding among several parties. He
43 emphasized that he had made efforts to make certain that all applicable
44 information was received by the 5 Oaks/Triple Creek NAC, expressing his
45 disappointment in the amount of apathy he had encountered. Observing that this
46 NAC includes the area from Sunset Highway to the north, TV Highway to the

1 south, 185th Avenue to the west and basically Murray Boulevard to the east, he
2 emphasized that this is a combination of two NACs and the largest NAC within
3 the City of Beaverton. He noted that this area had also received the greatest
4 development impact throughout the community and the county within the past ten
5 years. He emphasized that a tremendous amount of high-tech industry
6 construction has gone into this area, adding that a great deal of the Sunset
7 Corridor and Tanasbourne office activity is also within this area.

8
9 Mr. Russell pointed out that his NAC is getting concerned with the potential
10 within this very diverse land use area, adding that annexations are rapidly altering
11 some of the jurisdictions. He discussed a previous annexation in the area of the
12 light rail, providing for high density, expressing his opinion that the entire concept
13 for transit-oriented development had been ignored with this annexation. He
14 emphasized the concern of his NAC regarding the lack of City standards allowing
15 them to expect good development in the area. He referred to the Metro 2040 plan,
16 which is generally obligated to accommodate up to 12,000 additional dwelling
17 units within the City over the next twenty years, representing a 40% increase in
18 housing, which will mainly occur downtown and in the area of the light rail
19 corridor. Concluding, he requested clarification of whether this Public Hearing
20 will be closed this evening.

21
22 Chairman Maks advised Mr. Russell that he had not intended to imply that the
23 Public Hearing would be closed this evening, adding that he had commented that
24 he would like the Commissioners to reach some consensus on the issues at this
25 time.

26
27 Observing that a great many details are involved, Mr. Russell expressed his
28 confidence that the Commissioners are well informed. He mentioned that the
29 *Reser's* property is the only property that is industrially zoned, adding that this
30 represents spot zoning. He emphasized that the City of Beaverton needs to
31 commit to following through on the Sunset West Community Plan as part of any
32 zoning action, adding that the City of Beaverton and Washington County need to
33 be working towards the same goals.

34
35 Chairman Maks advised Mr. Russell that his summary had already taken three
36 minutes, and was informed that as a representative of the NAC, he feels he should
37 be allotted five minutes.

38
39 Mr. Russell expressed his concerns about transportation facility design and
40 reiterated the NAC's desire to plan the Station area with a global perspective
41 regardless of jurisdictional boundaries, and at a minimum, the City should adopt
42 the Washington County Community Plans as the areas annex.

43
44 **TODD SADLO**, representing *Home Depot*, expressed concern about the City
45 staff proposal to Metro regarding amendments to the Title 4 areas. He expressed
46 frustration with regard to his participation in the Title 4 Development Code Text

1 Amendment without knowledge of the City staff proposal to initiate amendments
2 to the Title 4 maps. Concerned about the retail size limitations in the Metro
3 Industrial designation, he suggested that an appeal is likely if the proposal
4 continues. Concluding, he further expressed frustration with an inability to site
5 *Home Depot* stores in Beaverton and the Metro area as a result of the Metro Title
6 4 regulations.

7
8 In response to Mr. Russell's testimony, Commissioner Voytilla expressed concern
9 that the public had indicated that they want to make certain that the elements of
10 the prior county station community plans and town center plans are both
11 recognized and incorporated.

12
13 Chairman Maks advised Commissioner Voytilla that these elements would be
14 considered, adding that if they fit into the plans of the City of Beaverton, they will
15 be incorporated.

16
17 Commissioner Heckman observed that Commissioner Voytilla has expressed
18 concern that some of these elements will be permanently lost, suggesting that the
19 word "recognize" should be eliminated.

20
21 Chairman Maks indicated that some language should be included to provide that
22 these elements would be reviewed, rather than recognized.

23
24 Mr. Bergsma suggested the possibility of inserting a sentence in Action 2, under
25 Policy "d" for Goal 3.7.1, as follows: "If a plan has been adopted by the county, it
26 shall be given serious consideration by the City of Beaverton in preparation of its
27 community plan for that area."

28
29 Commissioner Johansen suggested that the word consideration should be
30 sufficient for this purpose, and the other Commissioners concurred with this
31 suggestion.

32
33 Commissioner Voytilla referred to page 4, specifically main street designations
34 and a reference to Farmington Road, westerly to the City limits, suggesting that
35 this particular cross street should be noted.

36
37 Commissioner Heckman observed that this boundary changes.

38
39 Commissioner Voytilla expressed concern that over time, people would not know
40 where the City limits end.

41
42 Ms. Fryer explained that the actual main street designation extends beyond the
43 current City limits, into Washington County almost to their Town Center in
44 Aloha. She mentioned that since the exact boundaries are not yet available from
45 Washington County, staff does not want to actually include this in specific

1 language, emphasizing that flexibility will permit them to extend the main street
2 designation, if necessary.

3
4 Commissioner Voytilla pointed out a reference to a section of Farmington Road,
5 expressing his opinion that this may create confusion as the properties develop.

6
7 Ms. Fryer explained that the City of Beaverton had selected for the Corridor
8 designation for this area, based upon the existing land use pattern and the fact that
9 many of these areas are not necessarily going to redevelop in a main street
10 fashion. She added that the Metro 2040 map does indicate that the main street
11 does exist along Farmington Road and does extend westerly through Aloha.

12
13 Commissioner Voytilla commented that he is merely attempting to provide some
14 clarity to allow individuals to comprehend what is being done here. He requested
15 clarification of whether as an owner of a parcel adjacent to the City limits, a
16 Corridor designation would be involved.

17
18 Ms. Fryer advised Commissioner Voytilla that this depends upon the designation
19 of this property by Washington County, emphasizing that if an annexed property
20 had been previously designated as a Main Street by Washington County, the City
21 of Beaverton's Main Street regulations would be applied.

22
23 Commissioner Voytilla referred to page 11, Action No. 2, specifically minimizing
24 the placement of parking lots and garages along streets, and Ms. Fryer informed
25 him that staff does want to minimize parking lots and garages along streets within
26 the mixed-use areas. She clarified that these parking lots and garages should be
27 located within the interior of the properties, with the buildings up against the
28 street itself, adding that the development, rather than the parking lot, should face
29 the street.

30
31 Commissioner Voytilla expressed concern with the mechanics involved in this
32 action, and Ms. Fryer requested clarification of why this would create a problem.

33
34 Commissioner Voytilla pointed out that without direct street access, garages
35 would need access to some common tract.

36
37 Ms. Fryer commented that while staff is not attempting to eliminate direct street
38 access, they do not want the entire structure of the garage or parking lot to face
39 the street.

40
41 Commissioner Voytilla observed that turning everything internally within the
42 property would create the necessity for some type of private access, increasing
43 maintenance and liability issues.

44
45 Mr. Bergsma assured Commissioner Voytilla that a driveway would still be
46 allowed for access off of a street.

1 Commissioner Voytilla referred to paragraph "J", questioning whether "design
2 plan" has been specifically defined.

3
4 Ms. Fryer suggested that this section could be amended to clearly indicate the
5 intent that this involves a Design Review.

6
7 Commissioner Voytilla referred to page 14, Action No. 4, specifically the use of
8 the word "generally" in defining the area for the South Tektronix Station.

9
10 Ms. Fryer referred to Figure 3-1, noting that a portion of the properties that abut
11 TV Highway are anticipated to be Corridor, and that further north of that
12 particular Corridor will be the South Tektronix Station Community. She observed
13 that the City might support action to include properties south of that area in this
14 station community, although these property owners do not wish to become part of
15 this station community at this time. She discussed efforts to accommodate the
16 South Tek area, as it exists today, while allowing some additional future changes.

17
18 Commissioner Voytilla mentioned that this section also lacks a perimeter
19 description of a boundary, noting that it is more focussed on the intersection and
20 expressed concern with such a general concept.

21
22 Chairman Maks pointed out that this is a "general" Comprehensive Plan.

23
24 Ms. Fryer stated that she anticipates that the Station Community Plan process for
25 Merlo will provide a more definitive boundary for at least Merlo and possibly
26 Elmonica. She mentioned that as these properties annex, staff would certainly
27 consider the existing County plan and designate properties appropriately.

28
29 Mr. Bergsma emphasized that the tendency of some of these areas to run together
30 creates a problem, allowing for no clear boundaries.

31
32 Commissioner Dunham referred to the strike through text on page 16, questioning
33 whether it is appropriate for the Corridor development to have office.

34
35 Chairman Maks requested that Commissioner Dunham refer to the clean text.

36
37 Commissioner Dunham pointed out a lack of transfer from the strike through text
38 to the clean text, emphasizing that she is attempting to make certain that there is
39 not an omission. She referred to the strike through text, Section 3-16 (the
40 Corridor development area), observing that this does not exist on the clean text.

41
42 Ms. Fryer advised Commissioner Dunham that she is correct, adding that this
43 section should have transferred over from the strike through text to the clean text.

44
45 Commissioner Barnard observed that this particular section appears to have been
46 misplaced, noting that it is on the bottom page of Section 3-15 of the clean text.

1 Ms. Fryer mentioned that this particular box is actually repeated under both Main
2 Street and Corridor, adding that it is also included in Section 3-17 of the strike
3 through copy.

4
5 Commissioner Dunham referred to the text box on Section 3-18, questioning
6 whether staff intends to provide a range of the market area, suggesting a three-
7 mile radius, rather than a range of two to three miles.

8
9 Ms. Fryer mentioned that this particular sentence had been suggested by the
10 Development Review staff as appropriate language for this section of the
11 Comprehensive Plan.

12
13 Observing that the original intent had provided for a fifteen minutes driving
14 distance, Chairman Maks commented that what used to be three miles is now
15 approximately a half a block.

16
17 Commissioner Dunham referred to Section 3-22, questioning whether RA should
18 be added to the next page's Action No. 1.

19
20 Ms. Fryer informed Commissioner Dunham that RA is an anomaly, with a
21 minimum acreage of five acres, which would be low density. She mentioned that
22 zone changes are allowed from RA to R-7 or R-5 without a Comprehensive Plan
23 Amendment.

24
25 Commissioner Voytilla referred to page 15, Action No. 2, specifically building
26 entrances facing main street, and questioned the possibility of attempting to create
27 a plaza or some sort of internal feature that orients around a plaza. Ms. Fryer
28 reminded him that this particular action item is a list of examples, adding that as
29 Development Code regulations are introduced, these regulations could become
30 more specific.

31
32 Chairman Maks observed that he expects that this would eventually be addressed
33 through Development Code.

34
35 Commissioner Voytilla mentioned that the windows of a particular building in
36 Portland had recently been covered "after the fact", suggesting some provision to
37 prohibit this obscuring of the glass.

38
39 Chairman Maks pointed out that the Development Code should address this issue
40 as well, advising Commissioner Voytilla that he could have used his support three
41 years ago when he was attempting to deal with this issue.

42
43 Commissioner Voytilla referred to page 16, Action No. 1, observing that
44 Farmington Road had gotten lost as a main street.

45

1 Ms. Fryer informed Commissioner Voytilla that this involves adoption of the
2 Corridor designation for Farmington Road, contrary to the Metro 2040 Growth
3 Concept Map.

4
5 Commissioner Heckman referred to 322, specifically the phrase "medium density
6 results in a range of 20 to 52 persons", observing that the ranges are great.

7
8 Ms. Fryer advised Commissioner Heckman that the zoning districts allowed under
9 medium density residential range from R-2 (2,000 square feet per dwelling unit,
10 or approximately 52 persons per acre) up to R-4 (approximately 20 people per
11 acre).

12
13 Commissioner Barnard observed that it appears that the 53 to 83 people level
14 within those densities has been missed, and Chairman Maks suggested that
15 perhaps these people have gone to Hillsboro.

16
17 Ms. Fryer referred to the high density zoning district that requires 1,000 square
18 feet per dwelling unit, and could reach 1,250 square feet per dwelling unit. She
19 agreed that there is a gap between our R-2 consisting of 2,000 square feet per
20 dwelling unit and the R-1, which is 1,000 square feet per dwelling unit.

21
22 On question, Chairman Maks assured Ms. Fryer that another zoning district would
23 not be necessary.

24
25 Mr. Bergsma observed that this is a consequence of the establishment of Metro's
26 80% minimum.

27
28 Commissioner Dunham referred to page 23, specifically the High Density
29 Residential development. She expressed concern with the phrase "all income
30 levels", observing that this phrase does not exist anywhere else within the
31 document.

32
33 Ms. Fryer referred to page 3-20, Policy A, 3.13.1, specifically regulate residential
34 development to provide for diverse housing needs by creating opportunities for
35 single and multi-family development of various sizes, types and configurations.
36 She also referred to Item B, which provides for a variety of housing
37 developments, advising Chairman Maks that this is applicable to all residential
38 zoning districts.

39
40 Commissioner Dunham observed that Commissioner Johansen had suggested the
41 insertion of a period after "types".

42
43 Commissioner Heckman questioned whether it is even necessary to include the
44 phrase "to serve residents" within the goal statement, and the Commissioners
45 expressed their opinion that this phrase is not actually necessary.

46

1 Ms. Fryer requested that the Commissioners review the main street designation
2 along Hall Boulevard and consider whether it is appropriate to include the main
3 street designation on the property south of the previous library site and the vacant
4 property immediately south of this site.

5
6 Chairman Maks commented that he supports designating this area as High
7 Density.

8
9 Commissioner Heckman expressed his opinion that maintaining that into that
10 large church lot into this designation, suggesting that this be eliminated.

11
12 Ms. Fryer noted that the current zoning in this district is R-7, recommending that
13 Urban Standard density would be a good option.

14
15 Commissioner Barnard suggested terminating this particular zoning at the end of
16 the City property.

17
18 Ms. Fryer mentioned that if the one parcel south of the former library is vacant, it
19 could be included in this designation.

20
21 Observing that the vacant parcel would be an appropriate boundary,
22 Commissioner Heckman noted that it is not possible to determine exactly what
23 will be developed on the former library site.

24
25 Ms. Fryer questioned whether there was a consensus agreeing to include the
26 former library site plus any adjoining vacant parcels.

27
28 Commissioner Barnard expressed his opinion that this issue deserves more
29 consideration, and at the request of Chairman Maks, Ms. Fryer indicated that she
30 would provide a map to clarify this situation.

31
32 Commissioner Dunham referred to page 2, expressing concern that the entire
33 paragraph beneath the Table of Contents may not be clearly understood by
34 everyone concerned.

35
36 Chairman Maks emphasized that this is a valid issue, adding that this document
37 should be clearly understood by any individual with a 10th grade level of
38 education.

39
40 Commissioner Dunham mentioned that this particular paragraph is also included
41 in the text in the front of the document.

42
43 Commissioner Dunham referred to page 4, specifically reference to significant
44 natural resource area inventories, suggesting that it might be appropriate to
45 include several examples.

46

1 Ms. Fryer pointed out that the information presented here was purposely vague,
2 adding that the City of Beaverton currently has a compendium of significant
3 natural resource documents that have been adopted, partially adopted or in the
4 process of being adopted. She commented that it is difficult to construct an easily
5 understood paragraph while describing all of the documents that are included
6 within the Goal 5 Inventory.

7
8 Commissioner Dunham expressed concern with the existing maps, noting that she
9 may find it necessary to obtain a new pair of glasses to allow her to read these
10 maps.

11
12 Ms. Fryer advised Commissioner Dunham that she intends to provide an index
13 page or a legend page for these maps, adding that this should be available for the
14 next meeting.

15
16 Commissioner Dunham commented that she had experienced significant problems
17 with the Downtown Regional Center Zoning Map, suggesting that some of this
18 information should be magnified.

19
20 Ms. Fryer indicated that this is a possibility that staff is willing to explore.

21
22 Following a three-minute recess, Commissioner Dunham questioned whether the
23 freeway and the City of Beaverton boundaries are the same black line on the
24 legend.

25
26 Observing that both the freeway and city limits line are both black, Ms. Fryer
27 advised Commissioner Dunham that the city limits line is actually a larger "point"
28 than that of the freeway, adding that the color could be changed to more clearly
29 indicate the difference.

30
31 Commissioner Voytilla referred to the zoning map, observing that Watson does
32 not appear to connect between Canyon Road and Farmington Road, expressing
33 his opinion that this is a mapping error.

34
35 Ms. Fryer explained that this is a function of technology, adding that the actual
36 area is a Tax Lot in the County Assessor's database, as opposed to "right-of-way",
37 and that it shows up as an actual parcel that would receive a zoning designation.

38
39 Commissioner Heckman questioned who pays the tax on this lot, and Ms. Fryer
40 advised him that the City of Beaverton and other governmental agencies do not
41 pay taxes.

42
43 Observing that the Public Hearing will be continued until October 18, 2000,
44 Chairman Maks requested that any revisions or corrections be forwarded to staff,
45 in writing, and that staff return with a revised, clean copy at that time.

46

1 Chairman Maks noted that there is no meeting scheduled for September 27, 2000.

2

3 Commissioner Barnard **MOVED** and Commissioner Voytilla **SECONDED** a
4 motion to continue the Public Hearing for CPA 99-00025 -- Comprehensive Plan
5 Land Use Element, to a date certain of October 18, 2000.

6

7 Motion **CARRIED**, unanimously.

8

9 Commissioner Heckman expressed his opinion that this particular application has
10 been continued more than any application he can remember throughout his
11 service on the Planning Commission.

12

13 **APPROVAL OF MINUTES:**

14

15 Chairman Maks indicated that revisions and approval of the minutes of the
16 meetings of August 2, 2000, August 9, 2000, August 16, 2000, August 23, 2000
17 and August 30, 2000, would be continued until October 4, 2000, in order that the
18 Recording Secretary could be available.

19

20 **MISCELLANEOUS BUSINESS:**

21

22 Referring to the calendar on the minutes, Commissioner Johansen questioned
23 whether the fall meeting and hearing schedule would be fairly light.

24

25 Mr. Bergsma advised Commissioner Johansen that a Measure 56 notice is
26 scheduled to be mailed next week regarding several other elements of the
27 Comprehensive Plan, adding that the schedule will be busier than it has been.

28

29 Chairman Maks mentioned that Title 4 would be discussed at the meeting on
30 October 4, 2000.

31

32 The meeting adjourned at 10:50 p.m.